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REMARKS

The Examiner is thanked for acknowledging the Request for Continued Examination and the entry of the submission filed March 7, 2007.

The specification has been amended at page 1, line 13 by adding the words "to be worn, obviously in a dried and optionally ironed condition thereof, by a user, in particular a user performing physical exercises".

These words do not add new matter, since they are implicit in the overall disclosure of Applicant's invention.

Claims 64 was rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

Reconsideration is requested in view of this Amendment.

Claims 50-65 have been canceled and new claims 66-81 have been added.

In drafting the new claims, care has been taken to avoid the bases for the rejection under 35 U.S.C. §112, second paragraph, that were set forth in paragraph 3 of the Office Action of March 15, 2007. The words "either quaternized tertiary amines" have been omitted from newly presented claim 80. In addition, the word "metasulfate" has been rewritten as --methasulphate-- in new claims 78 and 80.

New claim 66 points out that the active principle, and washing base, have been so selected, in their respective amounts, as to provide a cloth article, which, after having been washed, rinsed and dried, will contain at least a part of the active

principle so that, as the washed, rinsed and dried cloth article is worn by a user who releases perspiration body enzymes, these enzymes will react with at least a part of the active principle to decompose the alpha and beta hydroxy acid esters forming the active principle, into aliphatic alcohols and alpha hydroxy acids thereby preventing a generation of short chain fatty acids and bad odors.

In other words, Applicant's washing products as defined in new claim 66, have been specifically designed to allow a part of the active principle to be permanently bound to the clothing article, and to react with the body enzymes of a user, for preventing bad odors from being generated. In this connection, Applicant desires to draw the attention of the Examiner to the fact, that the rate of 0.1 to 10% of the active principle with respect to the washing base is a very important rate.

The Applicant wishes to point out that the prior art does not disclose the "emollience-effect" of the emollients recited in the claims and the ability of the art to detect the presence of these materials does not suggest taking steps to insure that an amount of the active principle with respect to that of the washing base is provided so that at least a part of the active principle to be permanently bound to the fiber material of the clothing article in a washed, rinsed and dried condition of the latter.

None of the prior art patents teaches or suggests deliberately providing a clothing article washing composition which, after having been used for washing the clothing article, leaves at least a portion of its active principle permanently bound to

the cloth article fiber material for the purpose of having the active principle react with body enzymes released by a user, for preventing bad odors from being generated on the washed clothing article.

Actually, none of the prior art patents teach a clothing article washing composition.

Claims 50-58 and 61-65 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 6,458,987 (the '987 patent) or Trani et al. (Trani).

Reconsideration is requested.

The '987 patent discloses perfumes based on citronellyl lactate. In particular, Example 6 of the '987 patent discloses a perfumed shampoo which cannot be used for washing clothing articles while Example 8 discloses a perfumed hydrating gel which is stable in terms of color and smell over a period of three months. Hydrating gel must be used for hydrating the skin and not for washing clothing articles.

Finally, example 10 of the '987 patent document teaches a detergent powder which is stable in terms of color and smell over a period of three months when it is stored at 50°C in the absence of light and when it is stored at 20°C in daylight, it is also stable for a period of three months. Thus, such a powder is not useable for washing any clothing article.

Most importantly no part of this prior art washing composition remains on the washed clothing article which can be stored as such for a future use, for example by a person performing physical exercises and releasing perspiration which, as taught by Applicant, cannot generate bad odors.

Accordingly, it is respectfully submitted that the '987 patent does not anticipate any of canceled

claims 50-58 and 61-65 and, consequently, none of new claims 66 to 81.

With respect to previous claims 50-53, 55-58 and 62-65, they have been rejected by the Examiner as being "clearly" (sic) anticipated by Trani. Applicant does not agree with this assertion of the Examiner. In fact, Trani discloses a particulate bleaching composition which comprises particles of an alkali metal salt of percarbonate or mixtures thereof: this composition has been specifically designed for washing white sheet cloth articles and not clothing or garment articles since, owing to its very high bleaching composition, it would irreparable damage a garment article which would be washed thereby.

Moreover, Trani does not teach or suggest anything that would make obvious a washing base that would become bound to the fiber material of the clothing article, and still be available to react, as the article is worn, even after a comparatively long time from its washing, with human perspiration enzymes to prevent bad odors from being generated.

Accordingly, it is respectfully submitted that Trani does not provide any anticipating teachings with respect to the new claims 66 to 81.

Claims 50 to 65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vermeer.

Reconsideration is requested.

Vermeer discloses detergent and personal care compositions which are not useable for washing clothing articles and, most importantly, could not provide a washed, rinsed and dried clothing article with an active principle bound thereto, to react with human perspiration to prevent bad odors from being generated, as the article is worn.

In particular, Vermeer, in addition to not teaching or suggesting the above very important feature, does not suggest any amount or proportion between the washing base and the active principle. This patent does not relate to a composition for washing clothing articles but only discloses a composition for personal care and the determination of an emollient effective amount is not the same as determining the amount that is necessary to bind to clothing and provide the odor preventing results of applicant's composition.

Accordingly, it is respectfully submitted that this patent which is not used for the washing of clothing does not make other third prior art document does not anticipate new claims 66 to 81.

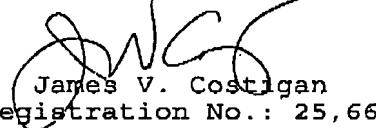
In view of the foregoing discussion, allowance of new claims 66 to 81 is respectfully requested.

In this connection, Applicant desires to draw the attention of the Examiner on the fact that new claim 81 is now directed to a clothing article, made of a fiber material to which is bound, in a washed, rinsed and dry condition of said fiber material, at least an active principle according to claim 66, to react with body enzymes to prevent bad odors from being generated. The article of clothing cannot be anticipated or made obvious by prior art which does not mention clothing.

None of the cited patents teach or suggest a clothing article with an active principle of the above mentioned type permanently bound thereof. For these reasons, it is requested that this ground of rejection be withdrawn.

An early and favorable action is earnestly  
solicited

Respectfully submitted,

  
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